

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

HOWARD RICHARDSON,)	
)	
Plaintiff)	
)	
v.)	Civil Action No. 04-11412-NG
)	
SUSA PARTNERSHIP, L.P.,)	
)	
Defendant.)	

JOINT MOTION TO CONTINUE MEDIATION

The parties in this action jointly move that the mediation scheduled for December 2, 2005 at 10:00 a.m. be continued to an alternative date. As grounds for this motion, the parties state as follows:

1. On October 6, 2005, the parties were advised by electronic notice that their matter had been referred to mediation scheduled for December 1, 2005 at 10:00 a.m. before the Honorable Magistrate Judge Joyce London Alexander.

2. On November 22, 2005, the parties were advised by electronic notice that the mediation had been rescheduled to December 2, 2005 at 10:00 a.m. before the Honorable Magistrate Judge Joyce London Alexander.

3. Counsel for the Defendant SUSA Partnership, L.P. ("SUSA" or "Defendant") is not available the morning of December 2, 2005 because of previous, long-standing work commitments that cannot be rescheduled.

4. The parties represent to the Court that they are available for mediation in this matter on Monday, December 19, 2005 from 2:00 p.m. to 5:00 p.m. and on Wednesday, December 21, 2005.

5. Furthermore, SUSA seeks permission for Defendant's representative with decision making authority to attend the mediation telephonically. Mark Marshall, the Defendant's

representative, is located in Salt Lake City, Utah and is unavailable to attend the mediation in person. Mr. Marshall is available by telephone on both December 19 and 21, 2005 and is available to participate in the mediation telephonically, if the Court desires. Attorneys for the Defendant will have full authority to settle the case. Accordingly, SUSA respectfully requests that Mr. Marshall be allowed to attend the mediation telephonically on the appointed mediation date.

Therefore, the parties jointly and respectfully request that this motion be allowed.

Respectfully submitted,

Respectfully submitted,

Howard Richardson,

SUSA Partnership, L.P.

/s/ Thomas Gleason

Thomas Gleason (BBO # 547134)
Gleason Law Offices, P.C.
163 Merrimack Street
Haverhill, MA 01830
(978) 521-4044

/s/ Amanda S. Rosenfeld

Thomas Royall Smith (BBO # 470300)
Amanda S. Rosenfeld (BBO # 654101)
Jackson Lewis LLP
75 Park Plaza
Boston, MA 02116
(617) 367-0025

Dated: November 23, 2005